

JS 44C/SDNY
REV. 06/01/17

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

17CV 7184
Forrest
Reck

PLAINTIFFS
TD Capital Group LLC
2064 Grand Concourse LLC

DEFENDANTS
The First Union Baptist Church of the Bronx

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Ravert PLLC, Gary O. Ravert, 116 West 23 Street, Fifth Floor, NY, NY
10011; Tel: (646) 961-4770; gravert@ravertpllc.com; Law Offices of Laleh
Hawa, 574 Middle Neck Rd, Great Neck, New York 11023, Tel: (516)
879.5889

ATTORNEYS (IF KNOWN)
THE LEGAL AID SOCIETY, 230 East 106th Street, NY, NY 10029, Tel. (212)
426-3000; KASOWITZ BENSON TORRES LLP, 1633 Broadway, NY, NY
10019, Tel. (212) 506-1700

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Appeal from bankruptcy court ruling striking part of court-ordered stipulation.

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☐ Yes ☒ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/	[] 625 DRUG RELATED	<input checked="" type="checkbox"/> 422 APPEAL	[] 375 FALSE CLAIMS
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY	28 USC 158	[] 376 QUI TAM
[] 130 MILLER ACT	LIABILITY	[] 365 PERSONAL INJURY	21 USC 881	[] 423 WITHDRAWAL	[] 400 STATE
[] 140 NEGOTIABLE	[] 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	[] 690 OTHER	28 USC 157	REAPPORTIONMENT
[] 150 INSTRUMENT	SLANDER	[] 368 ASBESTOS PERSONAL	PROPERTY RIGHTS		[] 410 ANTITRUST
[] 150 RECOVERY OF	[] 330 FEDERAL	INJURY PRODUCT	[] 820 COPYRIGHTS		[] 430 BANKS & BANKING
OVERPAYMENT &	EMPLOYERS'	LIABILITY	[] 830 PATENT		[] 450 COMMERCE
ENFORCEMENT	LIABILITY	PERSONAL PROPERTY	[] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		[] 460 DEPORTATION
OF JUDGMENT	[] 340 MARINE	[] 370 OTHER FRAUD	[] 840 TRADEMARK		[] 470 RACKETEER INFLU-
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT	[] 371 TRUTH IN LENDING			ENCED & CORRUPT
[] 152 RECOVERY OF	LIABILITY				ORGANIZATION ACT
DEFAULTED	[] 350 MOTOR VEHICLE				(RICO)
STUDENT LOANS	[] 355 MOTOR VEHICLE				[] 480 CONSUMER CREDIT
(EXCL VETERANS)	PRODUCT LIABILITY				[] 490 CABLE/SATELLITE TV
[] 153 RECOVERY OF	[] 360 OTHER PERSONAL	[] 380 OTHER PERSONAL	LABOR	SOCIAL SECURITY	
OVERPAYMENT	INJURY	PROPERTY DAMAGE	[] 710 FAIR LABOR	[] 861 HIA (1395ff)	[] 850 SECURITIES/
OF VETERAN'S	[] 362 PERSONAL INJURY -	[] 385 PROPERTY DAMAGE	STANDARDS ACT	[] 862 BLACK LUNG (923)	COMMODITIES/
BENEFITS	MED MALPRACTICE	PRODUCT LIABILITY	[] 720 LABOR/MGMT	[] 863 DIWC/DIWW (405(g))	EXCHANGE
[] 160 STOCKHOLDERS		PRISONER PETITIONS	RELATIONS	[] 864 SSID TITLE XVI	
SUITS		[] 483 ALIEN DETAINEE	[] 740 RAILWAY LABOR ACT	[] 865 RSI (405(g))	[] 890 OTHER STATUTORY
[] 190 OTHER	ACTIONS UNDER STATUTES	[] 510 MOTIONS TO	[] 751 FAMILY MEDICAL		ACTIONS
CONTRACT	CIVIL RIGHTS	VACATE SENTENCE	LEAVE ACT (FMLA)	FEDERAL TAX SUITS	[] 891 AGRICULTURAL ACTS
[] 195 CONTRACT	[] 440 OTHER CIVIL RIGHTS	28 USC 2255	[] 790 OTHER LABOR	[] 870 TAXES (U.S. Plaintiff or	
PRODUCT	(Non-Prisoner)	[] 530 HABEAS CORPUS	LITIGATION	Defendant)	[] 893 ENVIRONMENTAL
LIABILITY		[] 535 DEATH PENALTY	[] 791 EMPL RET INC	[] 871 IRS-THIRD PARTY	MATTERS
[] 196 FRANCHISE		[] 540 MANDAMUS & OTHER	SECURITY ACT (ERISA)	26 USC 7609	[] 895 FREEDOM OF
					INFORMATION ACT
REAL PROPERTY			IMMIGRATION		[] 896 ARBITRATION
[] 210 LAND	[] 441 VOTING	PRISONER CIVIL RIGHTS	[] 462 NATURALIZATION		[] 899 ADMINISTRATIVE
CONDEMNATION	[] 442 EMPLOYMENT	[] 550 CIVIL RIGHTS	APPLICATION		PROCEDURE ACT/REVIEW OR
[] 220 FORECLOSURE	[] 443 HOUSING/	[] 555 PRISON CONDITION	[] 465 OTHER IMMIGRATION		APPEAL OF AGENCY DECISION
[] 230 RENT LEASE &	ACCOMMODATIONS	[] 560 CIVIL DETAINEE	ACTIONS		[] 950 CONSTITUTIONALITY OF
EJECTMENT	[] 445 AMERICANS WITH	CONDITIONS OF CONFINEMENT			STATE STATUTES
[] 240 TORTS TO LAND	DISABILITIES -				
[] 245 TORT PRODUCT	EMPLOYMENT				
LIABILITY	[] 446 AMERICANS WITH				
[] 290 ALL OTHER	DISABILITIES -OTHER				
REAL PROPERTY	[] 448 EDUCATION				

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☐ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Removed from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation (Transferred)
 ☐ 7 Appeal to District Judge from Magistrate Judge
- ☐ a. all parties represented
 ☐ b. At least one party is pro se.
- ☐ 8 Multidistrict Litigation (Direct File)

(PLACE AN X IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY)
 ☐ 4 DIVERSITY

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

	PTF	DEF		PTF	DEF		PTF	DEF
CITIZEN OF THIS STATE	[X] 1	[X] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	[] 3	[] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	[] 5	[] 5
CITIZEN OF ANOTHER STATE	[] 2	[] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4	[] 4	FOREIGN NATION	[] 6	[] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

TD Capital Group LLC, 15 Cuttermill Rd. Suite 226, Great Neck, NY 11021, Nassau County

2064 Grand Concourse LLC, 15 Cuttermill Rd. Suite 226, Great Neck, NY 11021, Nassau County

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

The First Union Baptist Church of the Bronx, 2064 Grand Concourse, Bronx NY 10457, Bronx County

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN

DATE 9/15/17 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT
[] NO

YES (DATE ADMITTED Mo. 9 Yr. 2001)
Attorney Bar Code # 3979515

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)